

(August 8, 2016) Board Minutes
Steamboat Lake Water & Sanitation District Regular Board Meeting
8-8-16

Jim H. called the meeting to order at 5:30pm at the North Routt Fire Station #2 and motioned for the Board to go into executive session to receive legal advice and recommendations from counsel on the following:

1. Employment issues
2. Employment contracts
3. General legal issues

Jim F. seconds the motion, unanimous approval, motion carried, board moves into executive session.

At 6:05pm Jim H. motioned that the Board come out of executive session, from its discussion of those matters identified at the time the Board went into executive session. Jim F. seconds this motion, unanimous approval, motion carried. The Board breaks for 5 minutes and opens doors to public session.

Meeting called to order at 6:11pm at the North Routt Fire Station #2 by

Jim Finegan, The Board is now out of executive session, having discussed only those matters identified by resolution before it entered executive session. No decisions were made in the executive session.

Members present:

- | | |
|--------------------------|-----------------------|
| 1. <u>Kathleen Titus</u> | 2. <u>Bob Hulton</u> |
| 3. <u>Jim Hillman</u> | 4. <u>Jim Finegan</u> |

Elizabeth Roble, SLWSD Legal Counsel
Jackie Johnson, SLWSD Admin Assistant

Others present:

- | | |
|-------------------------|------------------------|
| 1. <u>Lanny Mack</u> | 2. <u>Jim Standish</u> |
| 3. <u>Scott Klouw</u> | 4. <u>Jim Rowe</u> |
| 5. <u>Galen Redinbo</u> | 6. _____ |

Open Issues:

1. Items per Elizabeth Roble (legal counsel for the district):

A) Jim H. moves the board authorize and direct the President of the Board, Jim Finegan, to sign the orders prepared by KT Law for applications that were approved for exclusion from the District at the June 13, 2016 public hearing. The applications that are approved are:

1. **Robert K. Hagerty and Laura H. G. Wait,**
Lots 13 & 14 in Parkside subdivision, Filing 6
2. **Haveron Family Trust 8/1/2009 Earnest Daniel Haveron, Trustee & Charleen Ann Haveron, Trustee**
Lot 2 Aspen Heights subdivision, Filing 6
3. **Richard S. Himes & Dorothy Bassett**
Lot 1 Aspen Heights subdivision, Filing 3
Lot 282 Filing 7
4. **Joanne M. Hussey Revocable Trust of 1999 Keith Hussey, Trustee**
Lot 1 Aspen Heights subdivision Filing 2
Lot 308 Filing 7
5. **Douglas G. Kenyon & Amy Smith-Kenyon**
Lot 1 Elkhorn Subdivision Filing 1
6. **Jeffrey J. Kozy & Mary A. Kozy**
Lot 8 Parkside subdivision filing 6
7. **John R. Mader & Pamela Mader**
Lot 3 Parkside subdivision filing 6
8. **Dan Mastbergen & Jessica Marlowe**
Lot 3 Aspen Heights subdivision filing 7
9. **Gregory T. Murray & Bonnie B. Murray**
Lot 11 Parkside subdivision filing 6
10. **Timothy S. Wright & Eleanor W. Wright**
Lot 2 Aspen Heights subdivision filing 3
Lot 3 Aspen Heights subdivision filing 3
Lot 273 filing 7
Lot 274 filing 7
Lot 275 filing 7
Lot 303 filing 7

Jim F. seconds this motion, unanimous approval, motion is carried. Orders are signed and given to Elizabeth.

B) Wolf von Carlowitz: update – asbuilts are at Magill's office; the district will need to bill Mr. von Carlowitz for legal and engineering fees. Mr. von Carlowitz needs to sign a conveyance document which is found online, Kathleen has been working closely with Mr. von Carlowitz and directing via email. Bob expresses concern that the water shut off is too close to the plug and may cause an issue for snow plowing. Kathleen will review this concern with Magill. Mr. von Carlowitz is currently receiving invoices for service fees from Colby's office, yet there is no home on the property to receive service. Kathleen motions to waive all service fees that have been charged and direct Colby's office to change this to the availability of service fee. Also, to put in writing that when house is built there will be a tap fee due. Jim F. seconds this motion, unanimous approval, motion carried.

C) Jim Rowe has requested the return of the \$200 deposit he submitted to KT Law in February for the exclusion process, due to the sale of his property. Elizabeth advises the board that they need to make a decision regarding this request since this

is not addressed in the newly adopted rules and regulations. Jim F. motions to return Mr. Rowe's deposit since no work has begun on his petition. Jim H. seconds this motion, unanimous approval, motion carried. Jackie will notify KT Law and direct them to return the deposit to Mr. Rowe. The board will need to address drafting a policy regarding the return of deposits for future cases, this will be added to future agenda.

2. Approval of Minutes from July 11, regular meeting:

Kathleen motions to approve July minutes as written and distributed, Jim F. seconds, unanimous vote in favor of, motion carried.

3. Updates per Kathleen:

- A) – Wolf von Carlowitz – this has been discussed earlier and motions made.
- B) – Martin – Kathleen states that this matter is now in the hands of the board and KT Law; the county still has not responded.
- C) DOLA – no news since last update.
- D) Kathleen expresses intent to discontinue following up on any further SLWSD items after August 15.

4. Maintenance Updates Per Bob:

- A) Bob reports that in his daily checks on the wells
- B) Water has cleared up at 78 well.
- C) Dubeck well running fine.

5. Updates per Jackie:

- A) The sign holders are here; discussion on where to put 3 within the district boundaries. Jim H. motions to attach the signs to the existing speed limit or street signs nearest the entrances of Neptune Place, Beaver Canyon, and Golden Tide Place. Jim F. seconds the motion, unanimous approval, motion carried. Jackie will print the signs, Jim H. will hang the signs/holders. Jackie will change and update as needed. Paper signs will also be posted in the Clark store and at the North Routt Community Charter school. Notices will continue to be submitted to the Routt County Clerk and Recorder's office as well as posted on the website: Colorado.gov/slwsd.
- B) Jack Powell has reached out (via email) and expressed interest in conducting our water tank inspections. When is our next inspection due? Per Kathleen, we are good until 2020. Kathleen will get together with Jackie to develop a Maintenance list to include this item.
- C) Laura Whitehead has notified SLWSD via email of the sale of property on Beaver Canyon Drive. This information was passed on to Scott Colby and KT Law and the board.

6. Public comment/questions:

Jim Rowe asks about dates of public hearings for the remaining petitioners. Filings 5-8 will be September 12, 2016 and Filings 1-4 will be in October, date is TBA due to the second Monday of the month being Columbus day and many government offices being closed in observance of this "holiday". Elizabeth answers that all of the remaining petitioners will be receiving letters from KT Law notifying of their date of public hearing and if any additional information is necessary prior to the hearing.

7. Mutual Aide Agreement with Routt County Fire Agencies

No news here, agreement still under review at KT Law per Board request, ongoing agenda item.

8. Other business:

Dave Entwistle submitted his resignation from the board due to the sale of his home and subsequent move out of state. Jim Standish expresses interest in serving on the board. Jim F. motions to accept Dave's resignation and appoint Jim Standish to this vacancy. Jim H. seconds, unanimous approval, motion carried. Jim Standish signs the Oath of office. Welcome Jim Standish. Mr. Lanny Mack has submitted a letter to the board expressing his interest in serving on the SLWSD board in lieu of Bob and Kathleen's resignations. This letter is on file and under board consideration for after the effective resignation dates of August 15, 2016. Rich Tremaine has also received a letter from Mr. Mack and responded on behalf of SLWSD, these are both on file. Scott Klouw has expressed interest in serving on the board.

Next Meeting: Public hearing at NRCCS at 6pm on September 12, 2016. A special meeting will be called prior to this meeting and is to be determined based on board member's schedules. This will be posted according to the statutory requirements – 72 hours before the meeting is held.

Meeting adjourned at 6:43 by Jim Finegan

Minutes recorded by Jackie Johnson

Board Minutes approved: 8-18-16